LPDES PERMIT No. LA0007927, AI No. 19933

LPDES FACT SHEET and RATIONALE

FOR THE DRAFT LOUISIANA POLLUTANT DISCHARGE ELIMINATION SYSTEM (LPDES) PERMIT TO DISCHARGE TO WATERS OF LOUISIANA

I. **COMPANY/FACILITY NAME:** Boise Packaging and Newsprint, L.L.C.
DeRidder Paper Mill
P. O. Box 1060
DeRidder, Louisiana 70634

II. **ISSUING OFFICE:** Louisiana Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

III. **PREPARED BY:** Paula M. Roberts
Water Permits Division
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DATE PREPARED: July 3, 2008
DATE REVISED: July 29, 2008

IV. **PERMIT ACTION/STATUS:**

A. **Reason for Permit Action:**

Proposed reissuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term following regulations promulgated at LAC 33:IX.2711/40 CFR122.46.*

* In order to ease the transition from NPDES to LPDES permits, dual regulatory references are provided where applicable. The LAC references are legal references while the 40 CFR references are presented for information purposes only. In most cases, LAC language is based on and is identical to the 40 CFR language. 40 CFR Parts 401, 405-415 and 417-471 have been adopted by reference at LAC 33:IX.4903 and will not have dual references. In addition, state standards (LAC 33:IX Chapter 11) will not have dual references.

LAC 33:IX Citation: Unless otherwise stated, citations to LAC 33:IX refer to promulgated regulations listed at Louisiana Administrative Code, Title 33, Part IX.

40 CFR Citation: Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations in accordance with the dates specified at LAC 33:IX.2301.F., 4901, and 4903.

B. **LPDES permit:** Issue date – February 22, 2002
Effective date – April 1, 2002
Expiration date – March 31, 2007
EPA has not retained enforcement authority

Major Modification Permit: Effective date – February 1, 2004
Minor Modification Permit: Effective date – December 1, 2004

C. **Date Application Received**: The permit renewal application was received by this Office on September 8, 2006. Supplemental information to this application was received via email on July 13, 2007, November 7, 2007, December 4, 2007, December 12, 2007 and June 2, 2008.

D. **Request to Update LPDES Renewal Application**: This request was submitted on April 7, 2008. Response to this request is listed under Proposed Permit Limits, paragraph G under Summary of Proposed Changes.

E. **Comments to Draft LPDES Permit:** An LPDES Draft Permit was issued to the permittee on July 8, 2008. After review of that draft permit, the permittee submitted comments dated July 16, 2008 via email. LDEQ and EPA have revisited the previous permit and researched the Subpart C guidelines BPT (40 CFR Part 430.32) and BCT (40 CFR Part 430.33) to determine what is correct. Findings indicate that the application of the BCT guidelines are applied when calculating the annual average and concentration limits in this permit. However, the headings are listed incorrectly in the table listed at 40 CFR Part 430.33 for unbleached kraft facilities. This caused the discrepancy in the calculation of the concentration limits for this facility. Due to this discrepancy and based on comments from the facility, the following changes have been included in the revised draft permit and factsheet.

a) Appendices A-1, A-2 and A-3 have been revised to include an average flow of 20.3 MGD instead of the 21.98 MGD flow used in the draft permit.

b) The monthly average and daily maximum concentration limits for BOD_5 and TSS located on Page 2 of Appendices A-1 and A-2 have been revised to include the correct and respective value listed in the Best Conventional Treatment technology effluent guidelines (BCT).

c) The permittee has requested a change in the schedule for submittal of discharge monitoring reports from "No later than the 15th day of the following month" to " No later than the 30th day of the following month." The permittee's request cannot be granted. The DMR submittal deadline of the "15 day of the month" is consistent with the Permit Compliance Unit's protocol for tracking DMRs for all major permits in the Permit Compliance System which is supported by EPA.

V. FACILITY INFORMATION:

A. LOCATION– 4200 U. S. Hwy. 190 West in DeRidder, Beauregard Parish (Latitude 30°53'31", Longitude 92°37'27")

B. APPLICANT ACTIVITY- The applicant manufactures linerboard from unbleached kraft pulp and recycled corrugated container materials, and also manufactures newsprint from bleached kraft pulp, thermomechanical pulp and groundwood.

Production Rates by Subparts measured in Air-Dry Tons (ADTP)

Subparts B-Bleached Papergrade Kraft[3]	Pulp and Fine Papers	334.80[1]
Subpart C-Unbleached Kraft	Unbleached Kraft Facilities	1540.50[1]
Subpart G-Mechanical Pulp	Thermochemical Process	608.60[2]
Subpart G- Mechanical Pulp	Newsprint at Groundwood Mills	325.20[2]
Subpart J-Secondary Fibers Non-Deink	Paperboard from wastepaper-corrugating[4]	113.60[1]

[1]Current Production rates taken from EPA Form 2C, Page 2 of 4, September 8, 2006
[2]Current Production rates taken from revised Table 2, (See Additional Information-email dated July 13, 2007)
[3]This facility falls under Subpart B-Bleached Papergrade Kraft and Soda Subcategory, however the facility only produces unbleached papergrade kraft pulp
[4]Per email dated November 7, 2007 from Hughes to Roberts, an error in Table 3 of the renewal application stating the description of Subpart J, should read **"Secondary Fiber Non-Deink (Corrugated)"** instead of "Secondary Fiber Non-Deink (Non-Corrugated)".

C. Technology Basis – 40 CFR Chapter I, Subchapter N (Effluent Guidelines and Standards) parts 401, and 405-415 and 417-471 have been adopted by reference at LAC 33:IX.4903.

Guidelines	Reference
Bleached Papergrade Kraft	40 CFR Part 430, Subparts B, C, G and J

Other sources of technology based limits:
Current LPDES permit (effective April 1, 2002)
Best Professional Judgement

D. FEE RATE
   a. Fee Rating Facility Type: Major
   b. Complexity Type: III
   c. Wastewater Type: II
   d. SIC code(s): 2611 (Kraft Pulp Mill), 2621 (Paper Mill)

E. Facility Effluent Flow – (Avg. Flow) – 28.4 MGD (Outfall (s) 001 and 002) (LPDES renewal application, EPA Form 2C)

VI. RECEIVING WATERS: Bayou Anacoco via Cypress Creek

A. TSS (15%), mg/l: 7.10 mg/l
B. Average Hardness, mg/l $CaCO_3$: 19.20
C. Critical Flow, cfs: 8.1
D. Mixing Zone Fraction: 1
E. Harmonic Mean Flow, cfs: 62.2
F. River Basin: Sabine, Subsegment No. 110507
G. Designated Uses:
   The designated uses are primary contact recreation, secondary contact and fish and wildlife propagation

Information based on the following LAC 33:IX. Chapter 11 and memorandum from Brian Baker to Paula M. Roberts dated August 23, 2006 (See Attachment A). This information was taken from an August 16, 1995 memorandum described by Max Forbes. The Hardness and 15% TSS data was obtained from ambient monitoring station No. 1166 located on Bayou Anacoco southwest of Knight, Louisiana.

VII. OUTFALL INFORMATION:

Outfall 001

A. Type of wastewater – Treated process wastewater
The process wastewater includes but is not limited to paper machine process, groundwood effluent, TMP process water, pulp mill process water, BHE process water, evaporation, treated sanitary wastewater, mill area storm water and previously monitored bleach plant effluent from internal outfall 101.

B. Location – At the point of discharge from the holding pond located centrally on the north side of the site prior to combining with other waters. (Latitude 30°53'22", Longitude 93°22'30")

C. Treatment – Primary clarification with two clarifiers and screw presses. Secondary treatment utilizes aeration stabilization. Secondary treatment includes solids settling, flow measurement, aeration horsepower optimization with capacity allowance for spares, hydrogen peroxide addition capability for supplemental oxygen, and polymer availability for increasing solids settling when needed. A blend of phosphorus compounds and nitrogen compounds may be added for proper biological treatment.

D. Flow – 20.3 MGD intermittent (Long-Term Avg. Flow reported on LPDES renewal application, EPA Form 2C)

E. Receiving Waters – Bayou Anacoco via Cypress Creek

F. Basin and subsegment – Sabine River Basin, 110507

Outfall 002

A. Type of wastewater – Non-contact stormwater runoff from non-process areas and non-contact cooling water

B. Location – At the point of discharge from an earthen ditch located in the upper northeast corner of the site prior to combining with other waters. (Latitude 30°53'00", Longitude 93°22'12")

C. Treatment – No treatment

D. Flow – 8.11 MGD intermittent (Long-Term Avg. Flow reported on LPDES renewal application, EPA Form 2C)

E. Receiving Waters – Bayou Anacoco via Cypress Creek

F. Basin and subsegment – Sabine River Basin, 110507

Internal Outfall 101

A. Type of wastewater – Bleach Plant effluent

B. Location of Internal Outfall
Internal Outfall 101– At the point of discharge from the sealed process sewer centrally located within the plant prior to combining with Outfall 001. (Latitude 30°51'40", Longitude 93°22'40")

C. Treatment - This outfall does not have an individual treatment system. The discharge is routed to the on-site treatment system that discharges through Outfall 001.

D. Flow – 1.62 MGD intermittent (Avg. Flow reported on LPDES renewal application)

E. Receiving Waters – this discharge commingles with Outfall 001 before being discharged into Bayou Anacoco into Cypress Creek

VIII. CURRENT EFFLUENT LIMITS:

See Appendix B – LPDES permit limits

IX. PROPOSED PERMIT LIMITS:

The specific effluent limitations and/or conditions will be found in the draft permit. Development and calculation of permit limits are detailed in the Permit Limit Rationale section below.

Summary of Proposed Changes from the Current LPDES permit:

A. Included in the renewal permit application submitted on May 30, 2006, the permittee submitted a request to reduce the monitoring frequency for the Cluster Rule parameters. The reductions are reflected in this permit, along with monitoring frequency reduction language located in Part II, Section L as follows: Chloroform from 1/week to 1/month; TCDD, TCDF and the 12 chlorphenolics from 1/month to 1/quarter; and AOX from 1/daily to 3/week.

B. Part II conditions for stormwater discharges associated with industrial activities have been established in the draft permit.

C. Part II, Section O includes updated language regarding the schedule for submittal of Discharge Monitoring Reports. All DMRs are sent to the Office of Environmental Compliance/Permit Compliance Unit and scanned into the Electronic Document Management System which is accessible to all DEQ personnel.

D. The Laboratory Accreditation Language that was located in Part II of the previous permit has been removed. This language is now located in Part III, Section C, Paragraph 10 of the permit.

E. Part II, Section N of the permit includes Best Management Practices language.

F. Please note in Appendix A-1 and A-2, the Guideline Production-Based Factor (Subpart B only) used to calculate the Annual Average for BOD_5 and TSS has been changed from the previous final permit. In this permit, the BOD_5 Annual Average was calculated using the guideline production-based factor of 3.99. The TSS Annual Average was calculated using the guideline production-based factor of 7.09. This is a correction to the guideline production-based factor applied in the previous permit which was incorrect.

G. On April 7, 2008, the permittee submitted a letter requesting that the concentration limits for BOD_5 and TSS be deleted from the permit in lieu of the mass-based production limits for non-continuous discharges derived from the applicable subparts of 40 CFR 430. The permittee stated in the letter that these concentration limits for outfall discharges are redundant to the mass-based production limits already prescribed by 40 *Code of Federal Regulations* Part 430 for the pulp, paper, and paperboard source category. This request is denied based upon the definition for *Non-continuous discharger* located in 40 CFR 430.01(k)(1), which states in part that, " *A mill shall not be deemed a non-continuous discharger unless its permit requires compliance with the effluent limitations established for non-continuous dischargers and also requires compliance with maximum day and average of 30 consecutive days effluent limitations. Such maximum day and average of 30 consecutive days effluent limitations for non-continuous dischargers shall be established by the NPDES authority in the form of concentrations which reflect wastewater treatment levels that are representative of the application of the best practicable control technology currently available, the best conventional pollutant control technology, or new source performance standards in lieu of the maximum day and average of 30 consecutive days effluent limitations for conventional pollutants set forth in each subpart.*"

H. Due to the sub-lethal biomonitoring failures experienced at the site during the previous permit cycle, a WET limit has been included in this permit. This requirement is in accordance with the LDEQ/OES Permitting Guidance Document for Implementing Louisiana Surface Water Quality Standards, Water Quality Management Plan Volume 3, Version 6 (April 16, 2008).

X. PERMIT LIMIT RATIONALE:

The following section sets forth the principal facts and the significant factual, legal, methodological, and policy questions considered in preparing the draft permit. Also set forth are any calculations or other explanations of the derivation of specific effluent limitations and conditions, including a citation to the applicable effluent limitation guideline or performance standard provisions as required under LAC 33:IX.2707/40 CFR Part 122.44(a) and reasons why they are applicable or an explanation of how the alternate effluent limitations were developed.

A. TECHNOLOGY-BASED VERSUS WATER QUALITY STANDARDS-BASED EFFLUENT LIMITATIONS AND CONDITIONS

Following regulations promulgated at LAC 33:IX.2707.L.2.b/40 CFR Part 122.44(l)(2)(ii), the draft permit limits are based on either technology-based effluent limits pursuant to LAC 33:IX.2707.A/40 CFR Part 122.44(a) or on State water quality standards and requirement pursuant to LAC 33:IX.2707.D/40 CFR Part 122.44(d), whichever is more stringent.

B. TECHNOLOGY-BASED EFFLUENT LIMITATIONS AND CONDITIONS

Regulations promulgated at LAC 33:IX.2707.A/40 CFR Part 122.44 (a) require technology-based effluent limitations to be placed in LPDES permits effluent limitations guidelines where applicable, on BPJ (best professional judgement) in the absence of guidelines, or on a combination of the two. The following is a rationale for types of wastewaters. See outfall information descriptions for associated outfall(s) in Section VII.

1. Outfall 001 – The intermittent discharge of treated process wastewaters include but is not limited to paper machine process, groundwood effluent, TMP process water, pulp mill process water, BHE process water, evaporator condensate, treated sanitary wastewater, mill area storm water and previously monitored bleach plant effluent from internal outfall 101.

Parameter	Annual Average Limit (lbs/day)	Daily Maximum Limit (lbs/day)	Monthly Average Limit	Daily Maximum Limit
Flow	Report MGD	Report MGD	---	---
BOD_5(*1)	14,107	---	195 mg/l	384.84 mg/l
TSS(*1)	24,351	---	254.86 mg/l	486.42 mg/l
AOX(*1)	343	---	2.46 mg/l	3.76 mg/l
pH*	---	---	6.0 min	9.0 max
Biomonitoring – See Section X., Paragraph D.				

(*1) Calculations and the basis for permit limitations for BOD_5, TSS, and AOX are found at Appendix A-1 through A-3. The daily maximum and monthly average mass limits for these parameters have been revised based on updated production rates and flow information provided in the application.

* 6.0 – 9.0 standard units, subject to the excursion provisions for continuously monitored pH

Boise Packaging and Newsprint-Deridder Paper Mill Corporation, is subject to Best Conventional Pollutant Control Technology (BCT) which is equivalent to the Best Practicable Technology (BPT) effluent limitation guidelines listed below:

Guideline

40 CFR 430 Subpart B (430.22 BCT)
Bleached Kraft facilities where paperboard, coarse paper, and tissue paper are produced

40 CFR 430 Subpart C (430.33 BCT)
Unbleached Kraft facilities

40 CFR 430 Subpart G (430.72 BPT)
Mechanical pulp facilities where pulp and paper at groundwood mills are produced through the application of the thermo-mechanical process

Mechanical pulp facilities where the integrated production of pulp and coarse paper, molded pulp products, and newsprint at groundwood mills

40 CFR 430 Subpart J (430.102 BPT)
Secondary Fiber non-deink facilities where paperboard from wastepaper is produced-corrugating medium finish subdivision

2. Internal Outfall(s) 101 – the continuous discharge of bleach plant effluent is the total discharge of process wastewaters from the bleach plant from each physical bleach line operated at the mill, comprising separate acid and alkaline filtrates or the combination thereof.

Parameter(*2)	Annual Average Limit	Daily Maximum Limit	Parameter(*2)	Annual Average Limit	Daily Maximum Limit
Flow	Report MGD	Report MGD	Chloroform	2.77 lbs/day	4.63 lbs/day
Parameter(*2)	**Monthly Average Limit**	**Daily Maximum Limit**	**Parameter(*2)**	**Monthly Average Limit**	**Daily Maximum Limit**
Tetrachlorocatechol	---	<5.0 ug/l	2,3,4,6-tetrachlorophenol	---	<2.5 ug/l
Tetrachloroguaiacol	---	<5.0 ug/l	3,4,6-trichloroguaiacol	---	<2.5 ug/l
Trichlorosyringol	---	<2.5 ug/l	Pentachlorophenol	---	<5.0 ug/l
4,5,6-trichloroguaiacol	---	<2.5 ug/l	2,4,6-trichlorophenol	---	<2.5 ug/l
3,4,6-trichlorocatechol	---	<5.0 ug/l	2,4,5-trichlorophenol	---	<2.5 ug/l
3,4,5-trichlorocatechol	---	<5.0 ug/l	2,3,7,8-TCDD	---	<10 pg/l
3,4,5-trichloroguaiacol	---	<2.5 ug/l	2,3,7,8-TCDF	---	31.9 pg/l

Boise Packaging and Newsprint-DeRidder Paper Mill Corporation, is subject to Best Available Technology Economically Achievable (BAT) effluent limitation guidelines listed below:

Guideline
40 CFR 430 Subpart B (430.24 BAT)
Subpart B – Bleached Kraft facilities where paperboard, coarse paper, and tissue paper are produced
(*2) Based on the effluent guidelines at 40 CFR 430.01(i), the current effluent limitations have been retained in the draft permit. Calculations and the basis for permit limitations for Chloroform are found at Appendix A-4. The daily maximum and monthly average mass limits for this parameter has been revised based on updated production rates and flow information provided in the application.

Site-Specific Considerations

The permittee is subject to the Best Available Technology Economically Achievable (BAT) for the control of Pentachlorphenol or Trichlorophenol. However the permittee certified that chlorophenolic-containing biocides are not used at the facility. Therefore, supplemental BAT effluent limitations and monitoring requirements for Pentachlorophenol and Trichlorophenol have not been established in this draft permit in accordance with 40 CFR 430.24(d).

Best Management Practices (BMPs) have been included in the permit for spent pulping liquor, soap, and turpentine management, spill prevention and control.

3. Outfall 002 – the intermittent discharge of non-contact stormwater runoff from non-process areas and non-contact cooling water.

Parameter	Monthly Average Limit	Daily Maximum Limit	Frequency	Reference
Flow	Report	Report	1/day	LAC33:IX.2701.I.1.b.
COD	---	150 mg/l	1/week	Previous permit and similar permits with same wastestream
Oil & Grease	---	15 mg/l	1/week	LDEQ Stormwater Guidance
pH	6.0 s.u. (min)	9.0 s.u. (max)	1/week	LDEQ Stormwater Guidance

C. WATER QUALITY BASED EFFLUENT LIMITATIONS

In accordance with LAC 33:IX.2707.D.1./40 CFR 122.44(d)(1), the existing (or potential) discharge(s) was evaluated in accordance with the Permitting Guidance Document for Implementing Louisiana Surface Water Quality Standards, LDEQ, April 16, 2008, to determine whether pollutants would be discharged "at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any state water quality standard." Lab data submitted for Outfall 001 on September 12, 2006, revealed non-detect for the Volatiles, Base/Neutrals and Pesticides tested. Therefore, the water quality spreadsheet is not included since there were no pollutants that exceeded the MQL.

The following pollutants received water quality-based effluent limits: None

Minimum quantification levels (MQL's) for state water quality numerical standards-based effluent limitations are set at the values listed in the Permitting Guidance Document for Implementing Louisiana Surface Water Quality Standards, LDEQ, April 16, 2008, BPJ and/or consistent with frequencies established in the current LPDES permit.

Dissolved Oxygen
The previous permit contained several requirements to ensure compliance with the in-stream standard for dissolved oxygen. Boise Cascade is required to monitor in-stream dissolved oxygen, temperature, and flow at several locations downstream from the mill. If the receiving stream dissolved oxygen concentration falls below the water quality standard of 5 mg/l, the permittee is required to cease discharging. The discharge is then allowed to commence 24 hours after the in-stream dissolved oxygen concentration at all monitoring stations increases to 5 mg/l or greater. Available in-stream data show that the existing permit requirements are successful in protecting the water quality standard for Dissolved Oxygen. Thus the existing requirements are proposed to be retained in the reissued permit.

TMDL Waterbody
The discharge from Outfall 001 is to Bayou Anacoco via Cypress Creek, Subsegment No. 110507 of the Sabine River. This subsegment is listed on LDEQ's FINAL 2006 305(b)/303(d) Integrated Report dated February 15, 2008 as fully supporting its designated uses. Therefore, there are no impairments of concern and the inclusion of additional permit limitations in the permit to address any impairment is not necessary.

However, a reopener clause has been placed in Part II of the permit to allow for more stringent or additional limitations or requirements to be placed in the permit, if needed, as a result of the establishment of any future TMDLs.

D. BIOMONITORING REQUIREMENTS

The provisions of this section apply to Outfall 001.

It has been determined that there may be pollutants present in the effluent which may have the potential to cause toxic conditions in the receiving stream. The State of Louisiana has established a narrative criteria which states, "toxic substances shall not be present in quantities that alone or in combination will be toxic to plant or animal life." The Office of Environmental Services requires the use of the most recent EPA biomonitoring protocols.

Whole effluent biomonitoring is the most direct measure of potential toxicity which incorporated both the effects of synergism of effluent components and receiving stream water quality characteristics. Biomonitoring of the effluent is, therefore, required as a condition of this permit to assess potential toxicity.

Data on file indicates that the permittee has experienced eight sub-lethal failures to the Ceriodaphnia dubia during the last five years. Due to these failures, a WET limit is recommended for this permit.

Also, a reasonable potential analysis shows that reasonable potential for future toxicity tests exists for Boise Packaging and Newsprint, LLC. Therefore it is recommended that a three year compliance schedule be incorporated into this permit to attain compliance with the WET limit of 79% (See Attachment A, Biomonitoring Frequency Recommendation and Reasonable Potential Analyzer). The WET limit will become effective after the three year interim period expires.

The biomonitoring procedures stipulated as a condition of this permit for Outfall(s) are as follows:

Interim Period – during the period beginning the effective date of the permit and lasting three years from the expiration date of the permit

TOXICITY TESTS	FREQUENCY
Chronic static renewal 7-day survival & reproduction test using Ceriodaphnia dubia (Method 1002.0)	1/quarter
Chronic static renewal 7-day survival & growth test using Fathead minnow Pimephales promelas (Method 1000.0)	1/quarter

Final Period – beginning three years after the effective date of the permit and lasting until the expiration date of the permit

TOXICITY TESTS	FREQUENCY
Lethality (7-Day NOEC)	
Ceriodaphnia dubia	1/quarter
Pimephales promelas	1/quarter

Toxicity tests shall be performed in accordance with protocols described in the latest revision of the "Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, EPA/600/4-89/100, March 1989." The stipulated test species are appropriate to measure the toxicity of the effluent consistent with the requirements of the State water quality standards. The biomonitoring frequency has been established to provide data representative of the facility's discharge in accordance with regulations listed at LAC 33:IX.2715/40 CFR 122.48 and to assure compliance with permit limitations following regulations listed at LAC 33:IX.2707.I.1/40 CFR 122.44(i)(1).

Results of all dilutions as well as the associated chemical monitoring of pH, temperature, hardness, dissolved oxygen, conductivity, and alkalinity shall be documented in a full report according to the test method publication mentioned in the previous paragraph. The permittee shall submit a copy of the first report to the Office of Environmental Compliance. The full report and subsequent reports are to be retained for three (3) years following the provisions of Part III.C.3 of this permit.

This permit may be reopened to require effluent limits, additional testing, and/or other appropriate actions to address toxicity if biomonitoring data show actual or potential ambient toxicity to be the result of the permittee's discharge to the receiving stream or water body. Modification or revocation of the permit is subject to the provisions of LAC 33:IX.2407/40 CFR 124.5. Accelerated or intensified toxicity testing may be required in accordance with Section 308 of the Clean Water Act.

Dilution Series

The permit requires five (5) dilutions in addition to the control (0%) effluent to be used in the toxicity tests. These additional effluent concentrations shall be 25%, 34%, 45%, 60%, and 79%. The biomonitoring critical dilution and WET limit is defined as 79% effluent.

E. MONITORING FREQUENCIES

Regulations require permits to establish monitoring requirements to yield data representative of the monitored activity [LAC 33:IX.2715/40 CFR122.48 (b)] and to assure compliance with permit limitations [LAC 33:IX.2707.I./40 CFR 122.44(I)]. All monitoring frequencies are based upon best professional judgment and/or are consistent with frequencies established in the current LPDES permit.

The permittee requested monitoring frequency reductions for Internal Outfall 101 for TCDD, TCDF and the 12 chlorphenolics, along with Chloroform. In addition, a monitoring frequency reduction was requested for AOX for Outfall 001.

An evaluation for monitoring frequency reduction based on the Interim Guidance for Performance-Based Reduction of NPDES Permit Monitoring Frequencies, April 1996, was performed based on data obtained from DMRs and data submitted by the permittee in the application. The following criteria were evaluated to determine whether the facility was eligible for a monitoring frequency reduction: facility enforcement history, parameter-by-parameter compliance history, and parameter-by-parameter performance history.

Facility Enforcement History: Permittee files were reviewed for the period beginning June 2005 through June 2007. This review revealed no criminal actions, and/or civil judicial actions administered against this facility. No enforcement actions were issued recently.

Parameter-by-Parameter Compliance History: A printout from the PCS Retrieval Request Edit Report for the period beginning April 1, 2002 and ending May 31, 2007 revealed there were no effluent violations reported on the DMRs submitted by the permittee within the last two years, but one violation for pH in September 2003.

Parameter-by-Parameter Performance History: Data submitted by the permittee was used to determine the Long Term Average (LTA) for the parameter Chloroform for the three bleach plants during the period beginning June 2005 through May 2007 (See Table 2). DMR data was reviewed to determine the LTA for the parameter AOX for the period beginning June 2005 through May 2007 (See Table 1). The DMR data for TCDD, TCDF, and the 12 chlorophenolics was reviewed for the period beginning April 2002 through June 2007. The monthly discharge monitoring report listed non-detect for each parameter. Based upon these criteria, and a comparison of the ratio of the long term effluent averages to monthly average limits, it shows that Boise Packaging and Newsprint – DeRidder Paper Mill is eligible for a reduction in the monitoring frequencies for TCDD, TCDF, the 12 chlorophenolics, Chloroform and AOX. LDEQ proposes the following monitoring frequencies:

1. Outfall 001 – Process Wastewaters
Flow shall be monitored continuously. The following pollutants are to be monitored 3/week.

Parameter(s):
BOD, TSS and pH

A monitoring frequency of 3/week for AOX which is a technology-based toxic pollutant is considered adequate for the protection of the receiving water and its designated uses as stated in Section VI.G.

A biomonitoring frequency of 1/quarter is consistent with the most recent EPA biomonitoring protocols. The permittee may request for a monitoring frequency reduction in accordance with Part II under 7-Day Chronic Freshwater Requirements of this permit.

2. Internal Outfall 101 – Bleach Plant effluent
Chloroform shall be monitored 1/month using a 24-hour composite sample. The remaining pollutants are to be monitored 1/quarter using a 24-hour composite sample.

Parameter(s):	Parameter(s):
Tetrachlorocatechol	2,3,4,6-tetrachlorophenol
Tetrachloroguaiacol	3,4,6-trichloroguaiacol
Trichlorosyringol	Pentachlorophenol
4,5,6-trichloroguaiacol	2,4,6-trichlorophenol
3,4,6-trichlorocatechol	2,4,5-trichlorophenol
3,4,5-trichlorocatechol	2,3,7,8-TCDD
3,4,5-trichloroguaiacol	2,3,7,8-TCDF

A monitoring frequency of 1/month for chloroform which is a technology-based toxic pollutant is considered adequate for the protection of the receiving water and its designated uses as stated in Section VI.G.

The permittee is expected to maintain the performance levels that were used as the basis for granting monitoring reductions. To remain eligible for these reductions, the permittee may not have any significant noncompliance violations for effluent limitations of the parameters for which reductions have been granted or failure to submit DMRs, or may not be subject to a new formal enforcement action. For facilities that do not maintain performance levels, the permitting authority may require increased monitoring. (See Part II, Paragraph L of the permit)

3. Outfall 002 – Non-contact stormwater runoff from non-process areas and non-contact cooling water

   Flow is monitored daily and is estimated. The following pollutants are to be monitored 1/week by grab sample.

   Parameter(s):
   COD, Oil & Grease and pH

XI. COMPLIANCE HISTORY/DMR REVIEW:

A. LDEQ records were reviewed for the period from July 2005 through July 2007 and revealed that WE-C-05-0422 has been issued to this facility on January 31, 2006. The findings noted in this Order consisted of record and reporting violations, sample procedures, and the one effluent limitation violation mentioned in this Section, paragraph B below. This action was closed on 12/4/06.

B. A DMR review of the monitoring reports for the period of April 1, 2002 through June 7, 2007 revealed that the facility has had one effluent violation for the parameter pH which occurred at Outfall 001 on 10/31/03. The permittee reported a maximum pH value of 9.6.

C. The most recent inspection was performed on June 27, 2007. All was satisfactory and there were no areas of concern noted in the report.

XII. "IT" QUESTIONS – APPLICANT'S RESPONSES

This application is for an LPDES permit renewal with no major modifications or additions, therefore, responses to these questions are not necessary.

XIII. ENDANGERED SPECIES:

The receiving waterbody, Subsegment No. 110507 of the Sabine River Basin has not been identified by the U. S. Fish and Wildlife Service as habitat for any endangered species. This type of discharge is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U. S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated October 24, 2007 from Boggs (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

XIV. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits, no consultation with the Louisiana State Historic Preservation Officer is required.

XV. TENTATIVE DETERMINATION:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in the application.

XVI. VARIANCES:

No requests for variances have been received by this Office.

XVII. PUBLIC NOTICES:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the fact sheet. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.
Public notice published in:

Local newspapers of general circulation

Office of Environmental Services Public Notice Mailing List